



**CITY OF LODI
COUNCIL COMMUNICATION**

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AGENDA TITLE: Approval of Expenses Incurred by JAMS Mediation Service Relative to the Environmental Abatement Program Litigation (\$47,840.07)

MEETING DATE: January 19, 2005 City Council Meeting

PREPARED BY: Steve Schwabauer, City Attorney

RECOMMENDED ACTION: That the City Council approve for payment expenses incurred by JAMS Mediation Service relative to the Environmental Abatement Program litigation (\$47,840.07).

BACKGROUND INFORMATION: Listed below are invoices from JAMS Mediation Service that were incurred relative to the Environmental Abatement Program litigation that is currently outstanding and needs to be considered for payment. Included are amounts totaling \$26,720.66 and \$7,833.83 for invoices that for the most part were incurred during the year 2003 by Envision Law Group. In some cases, these amounts have already been billed to the City or its carrier USF&G and paid to Envision. Unfortunately, Envision did not pay these vendors. Since these bills are to our mediator, I recommend we pay them and seek recompense from Envision.

Invoice #0000937319-110	City of Lodi v. M&P Investments	December 1-30, 2004	\$13,285.58
Invoice #0000842164-100	Hartford v. City of Lodi	2003/2004	\$ 7,833.83
Michael Donovan Unpaid Billings	City of Lodi v. M&P Investments	2003	<u>\$26,720.66</u>
	TOTAL		\$47,840.07

FUNDING: Water 50%
Wastewater 50%

D. Stephen Schwabauer
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City Attorney

Approved:

Jim Krueger
Jim Krueger, Finance Director

APPROVED:

Janet S. Keeter
Janet Keeter, Interim City Manager